

REMARKS

In the Office Action mailed August 23, 2007¹, the Examiner rejected claims 2-15, 17, 18, 25-30, 33-37, 39-42, 46-54, 57-68, 71, 75-101, and 104-113 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0076022 to Bedingfield ("*Bedingfield*") in view of U.S. Patent Application Publication No. 2002/0085687 to Contractor et al. ("*Contractor*"); and rejected claims 31, 32, 38, 43-45, 69, 70, 72-74, 102, and 103 under 35 U.S.C. § 103(a) as being unpatentable over *Bedingfield* in view of *Contractor* and further in view of U.S. Patent No. 6,807,259 to Patel et al. ("*Patel*").

By this Amendment, Applicants have amended claims 33, 43, 46, 48, 49, 71, 72, 74-79, 102, and 104-113. Claims 2-7, 9-15, 17, 18, 25-54, and 57-113 are currently pending. Each of the above rejections is respectfully traversed for the following reasons.

I. **The Rejection of Claims 2-15, 17, 18, 25-30, 33-37, 39-42, 46-54, 57-68, 71, 75-101, and 104-113 under 35 U.S.C. § 103(a)**

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 2-15, 17, 18, 25-30, 33-37, 39-42, 46-54, 57-68, 71, 75-101, and 104-113 because a *prima facie* case of obviousness has not been established with respect to these claims.

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to certain requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicants that such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

A *prima facie* case of obviousness has not been established because, among other things, the prior art, taken alone or in combination, fails to teach, suggest, or render obvious each and every element of Applicants' claims.

A. Claims 2-15, 17, 18, 25-30, 33-37, 39-42, 71, 77, 106-110, and 112

Claim 33 recites a method for managing a call, comprising "displaying [a] notification with customer-selectable options for managing [a] call." The cited references fail to teach, suggest, or render obvious at least this subject matter of claim 33.

Bedingfield discloses a system for monitoring incoming communications to a telecommunications device (*Bedingfield*, abstract). *Bedingfield*'s system can display calling party information on a computer monitor (*Bedingfield*, ¶ 43 and FIG. 3). However, even assuming *Bedingfield*'s display of calling party information corresponds to the claimed notification, *Bedingfield* does not disclose that the display includes customer-selectable options for managing the call. Therefore, *Bedingfield* fails to teach, suggest, or render obvious "displaying [a] notification with customer-selectable options for managing [a] call," as recited by independent claim 33.

Contractor fails to cure the deficiencies of *Bedingfield*. *Contractor* discloses a system for audibly announcing information associated with a calling party (*Contractor*, abstract). *Contractor* also discloses that the system implements a service that audibly announces calling party information to the called party, and provides the called party with an opportunity to accept or reject the call. However, *Contractor*'s announcement is "audible" and therefore cannot correspond to "displaying a notification." Therefore,

Contractor fails to teach, suggest, or render obvious “displaying [a] notification with customer-selectable options for managing [a] call,” as recited by independent claim 33. “

Although of different scope, independent claims 71, 77, 106-110, and 112 recite subject matter similar to that discussed above with respect to claim 33, subject matter which is not taught by the cited references. Claims 2-7, 9-15, 17, 18, 25-30, 34-37, and 39-42 depend from claim 33, and are distinguishable from the cited references at least due to their dependence from their respective base claims.

Because the cited references fail to teach, suggest, or render obvious each and every claim element recited by claims 2-7, 9-15, 17, 18, 25-30, 33-37, 39-42, 71, 77, 106-110 and 112, no *prima facie* case of obviousness has been established with respect to these claims. Claim 8 is canceled, rendering the rejection moot with respect to claim 8. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

B. Claims 46, 47, 74, and 104

Claim 46 recites a method for managing a call in real-time based on input from a user, comprising “providing [a] notification to [a] selected device for display on the selected device, the displayed notification including a call screening option” (emphasis added). The cited references fail to teach, suggest, or render obvious at least this subject matter of claim 46.

As discussed, *Bedingfield* discloses a system for monitoring incoming communications to a telecommunications device, where the system can display calling party information on a computer monitor (*Bedingfield*, abstract, ¶ 43 and FIG. 3). However, even assuming *Bedingfield*’s display of calling party information corresponds

to the claimed notification, *Bedingfield* does not disclose that the display includes a call screening option. Therefore, *Bedingfield* fails to teach, suggest, or render obvious “providing [a] notification to [a] selected device for display on the selected device, the displayed notification including a call screening option,” (emphasis added) as recited by independent claim 46.

Contractor fails to cure the deficiencies of *Bedingfield*. As discussed, *Contractor* discloses a service that audibly announces calling party information to the called party, and provides the called party with an opportunity to accept or reject the call (*Contractor*, abstract). However, *Contractor*’s announcement is “audible” and therefore cannot correspond to “displaying a notification.” Therefore, *Contractor* fails to teach, suggest, or render obvious “providing [a] notification to [a] selected device for display on the selected device, the displayed notification including a call screening option,” (emphasis added) as recited by independent claim 46.

Although of different scope, independent claims 74 and 104 recite subject matter similar to that discussed above with respect to claim 46, subject matter which is not taught by the cited references. Claim 47 depends from claim 46, and is distinguishable from the cited references at least due to its dependence from claim 46.

Because the cited references fail to teach, suggest, or render obvious each and every claim element recited by claims 46, 47, 74, and 104, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

C. Claims 48, 75, 78, 105, and 113

Claim 48 recites a method for managing a call, comprising “displaying [a] notification indicating [] enabled call management features.” The cited references fail to teach or suggest this subject matter of claim 48.

As discussed, *Bedingfield* discloses a system for monitoring incoming communications to a telecommunications device, and the system can display calling party information on a computer monitor (*Bedingfield*, abstract, ¶ 43 and FIG. 3). However, even assuming *Bedingfield*’s display of calling party information corresponds to the claimed notification, *Bedingfield* does not disclose that the display indicates enabled call management features. Therefore, *Bedingfield* fails to teach, suggest, or render obvious “displaying [a] notification indicating [] enabled call management features,” (emphasis added) as recited by independent claim 48.

Contractor fails to cure the deficiencies of *Bedingfield*. As discussed, *Contractor* discloses a service that audibly announces calling party information to the called party, and provides the called party with an opportunity to accept or reject the call (*Contractor*, abstract). However, *Contractor*’s announcement is “audible” and therefore cannot correspond to “displaying [a] notification.” Therefore, *Contractor* fails to teach, suggest, or render obvious “displaying [a] notification indicating [] enabled call management features,” (emphasis added) as recited by independent claim 48.

Although of different scope, independent claims 75, 78, 105, and 113 recite subject matter similar to that discussed above with respect to claim 46, subject matter which is not taught by the cited references.

Because the cited references fail to teach, suggest, or render obvious each and every claim element recited by claims 48, 75, 78, 105, and 113, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

D. Claims 49-54, 57-68, 76, 79-101, and 111

Claim 49 recites an apparatus for managing a call, comprising a "means for instructing the service control point to connect the call to the selected device if a predetermined period of time expires before receiving the response to the displayed notification" (emphasis added). The cited references fail to teach, suggest, or render obvious at least this subject matter of claim 49.

As discussed, *Bedingfield* discloses a system for monitoring incoming communications to a telecommunications device (*Bedingfield*, abstract). *Bedingfield's* system can display calling party information on a computer monitor (*Bedingfield*, ¶ 43 and FIG. 3). However, even assuming *Bedingfield's* display of calling party information corresponds to the claimed notification, *Bedingfield* does not disclose that the call is connected based on a predetermined expiration of time. Moreover, *Bedingfield* also does not disclose that the call is connected to the computer that receives the notification, whereas the claimed "selected device" is also selected to receive the notification. Therefore, *Bedingfield* fails to teach, suggest, or render obvious a "means for instructing the service control point to connect the call to the selected device if a predetermined period of time expires before receiving the response to the displayed notification" (emphasis added) as recited by independent claim 49.

Contractor fails to cure the deficiencies of *Bedingfield*. As discussed, *Contractor* discloses a service that audibly announces calling party information to the called party, and provides the called party with an opportunity to accept or reject the call (*Contractor*, abstract). Therefore, *Contractor* fails to teach, suggest, or render obvious a “means for instructing the service control point to connect the call to the selected device if a predetermined period of time expires before receiving the response to the displayed notification” (emphasis added) as recited by independent claim 49.

Although of different scope, independent claims 76, 79, and 111 recite subject matter similar to that discussed above with respect to claim 49, subject matter which is not taught by the cited references. Claims 50-54 and 57-68 depend from claim 49, and claims 80-101 depend from claim 79, and are distinguishable from the cited references at least due to their dependence from their respective base claims.

Because the cited references fail to teach, suggest, or render obvious each and every claim element recited by claims 49-54, 57-68, 76, 79-101, and 111, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

II. The Rejection of Claims 31, 32, 38, 43-45, 69, 70, 72-74, 102, and 103 under 35 U.S.C. § 103(a)

A. Claims 43-45, 72, 73, 102, and 103

Claim 43 recites a method for managing a call in real-time based on input from a user, comprising “storing user preference information indicating a first device and a second device associated with the user” and “receiving a response to [a] notification

from the user, the response identifying the second device" (emphasis added). The cited references fail to teach, suggest, or render obvious this subject matter of claim 43.

The Examiner concedes that "*Bedingfield* fails to disclose receiving a response to the notification from a user" (Office Action at p. 9). *Contractor* fails to cure the deficiencies of *Bedingfield*. As discussed, *Contractor* discloses a service that audibly announces calling party information to the called party, and provides the called party with an opportunity to accept or reject the call (*Contractor*, abstract and ¶ 37). The Examiner relies on *Contractor's* acceptance or rejection of the call as corresponding to the claimed "response to the notification" (Office Action at p. 9). However, *Contractor* does not disclose that called party identifies a second device when accepting or rejecting the call. Therefore, *Contractor* fails to teach, suggest, or render obvious "receiving a response to [a] notification from the user, the response identifying the second device" (emphasis added) as recited by independent claim 43.

Patel discloses a telephone system including an audio calling line identification that is played to a subscriber, where the subscriber can direct the disposition of the incoming call after receiving the identification (*Patel*, abstract). *Patel* further discloses that the subscriber can use a telephone keypad to indicate that the call should be forwarded to another number (*Patel*, col. 5, line 66 to col. 6, line 4). However, *Patel* does not disclose that the subscriber identifies a second device using the telephone keypad, merely that the subscriber indicates the call should be forwarded. *Patel*, therefore, fails to teach, suggest, or render obvious "receiving a response to [a] notification from the user, the response identifying the second device" (emphasis added) as recited by independent claim 43.

Although of different scope, independent claims 72 and 102 recite subject matter similar to that discussed above with respect to claim 43, subject matter which is not taught by the cited references. Claims 44 and 45 depend from claim 43, claim 73 depends from claim 72, and claim 103 depends from claim 102, and are distinguishable from the cited references at least due to their dependence from their respective base claims.

Because the cited references fail to teach, suggest, or render obvious each and every claim element recited by claims 43-45, 72, 73, 102, and 103, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

B. The Rejection of Claims 31, 32, and 38

Claims 31, 32, and 38 depend from claim 33. As discussed, *Bedingfield* and *Contractor* fails to teach, suggest, or render obvious “displaying [a] notification with customer-selectable options for managing [a] call.” *Patel* fails to cure the deficiencies of *Bedingfield* and *Contractor*.

Patel discloses that the disposition of the incoming call can include forwarding the incoming call to a second number (*Patel*, col. 5 line 66 to col. 6 line 4). However, *Patel* does not disclose displaying a notification of the call. *Patel*, therefore, fails to teach, suggest, or render obvious “displaying [a] notification with customer-selectable options for managing [a] call.”

For at least the reason that the prior art, taken alone or in combination, fails to teach, suggest, or render obvious each and every claim element, no *prima facie* case

has been established with respect to claims 31, 32, and 38. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) and allow claims 31, 32, and 38.

C. The Rejection of Claims 69 and 70

Claims 69 and 70 depend from claim 49. As discussed, *Bedingfield* and *Contractor* fails to teach, suggest, or render obvious a “means for instructing the service control point to connect the call if no response to the displayed notification is received from the customer” (emphasis added). *Patel* fails to cure the deficiencies of *Bedingfield* and *Contractor*.

Patel does not disclose displaying a notification of the call. Therefore, *Patel* fails to teach, suggest, or render obvious a “means for instructing the service control point to connect the call if no response to the displayed notification is received from the customer” (emphasis added).

For at least the reason that the prior art, taken alone or in combination, fails to teach, suggest, or render obvious each and every claim element, no *prima facie* case has been established with respect to claims 69 and 70. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) and allow claims 69 and 70.

D. The Rejection of Claim 74

The Examiner indicates that claim 74 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bedingfield*, *Contractor*, and *Patel* (Office Action at p. 9). However, the Examiner does not address the recitations of claim 74. Moreover, the cited references do not teach, suggest, or render obvious all of the elements of claim

74. Claim 74 recites an apparatus for managing a call in real-time based on input from a user, comprising a “means for providing the notification to the selected device for display on the selected device, the displayed notification including a call screening option” (emphasis added). As discussed, *Bedingfield* and *Contractor* fails to teach, suggest, or render obvious a “displayed notification including a call screening option.” (emphasis added).

Patel fails to cure the deficiencies of *Bedingfield* and *Contractor*. *Patel* discloses that the disposition of the incoming call can include forwarding the incoming call to a second number (*Patel*, col. 5, line 66 to col. 6, line 4). However, *Patel* does not disclose displaying a notification that includes a call screening option. *Patel*, therefore, fails to teach, suggest, or render obvious the claimed “means for providing the notification to the selected device for display on the selected device, the displayed notification including a call screening option” (emphasis added).

For at least the reason that the prior art, taken alone or in combination, fails to teach, suggest, or render obvious each and every claim element, no *prima facie* case has been established with respect to claim 74. Therefore, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 103(a) and allow claim 74.

III. Conclusion

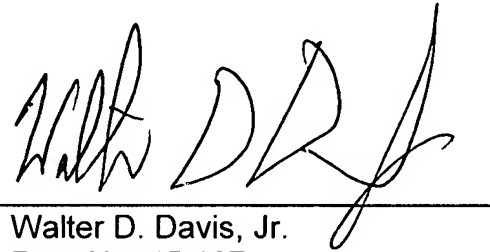
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

If there is any fee due in connection with the filing of this Reply, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

Dated: November 12, 2007

By: _____

A handwritten signature in black ink, appearing to read 'Walter D. Davis, Jr.', is written over a horizontal line. The signature is stylized and cursive.

Walter D. Davis, Jr.
Reg. No. 45,137